

Message

From: Ludmer, Margo [ludmer.margo@epa.gov]
Sent: 3/21/2016 6:06:08 PM
To: Kevin Murphy [KMurphy@WladisLawFirm.com]; David W. Nunn [dwnunn@eastmansmith.com]
CC: Doyle, James [Doyle.James@epa.gov]
Subject: RE: Lower Ley Creek RD AOC [ES-LEGAL.FID1587432]

David and Kevin,
Jim now has a conflict at 3pm. Could you both do 4:15pm?
Apologies for the last-minute change.
Margo

From: Kevin Murphy [mailto:KMurphy@WladisLawFirm.com]
Sent: Monday, March 21, 2016 10:13 AM
To: Ludmer, Margo <ludmer.margo@epa.gov>; David W. Nunn <dwnunn@eastmansmith.com>
Cc: Doyle, James <Doyle.James@epa.gov>
Subject: RE: Lower Ley Creek RD AOC [ES-LEGAL.FID1587432]

Due to prior commitments and to maximize the potential that I will be on the call, I think it best we keep it @ 3:00.

P.S. I am 99+% confident w/ the call @ 3:00.

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From: Ludmer, Margo [mailto:ludmer.margo@epa.gov]
Sent: Monday, March 21, 2016 9:14 AM
To: David W. Nunn; Kevin Murphy
Cc: Doyle, James
Subject: RE: Lower Ley Creek RD AOC [ES-LEGAL.FID1587432]

Thank you, David. Could you both do 2:45pm today? If not, 3pm is fine.

Margo

From: David W. Nunn [<mailto:dwnunn@eastmansmith.com>]
Sent: Sunday, March 20, 2016 1:04 PM
To: Ludmer, Margo <ludmer.margo@epa.gov>
Cc: 'Kevin C. Murphy' (KMurphy@WladisLawFirm.com)' <KMurphy@WladisLawFirm.com>; Doyle, James <Doyle.James@epa.gov>
Subject: RE: Lower Ley Creek RD AOC [ES-LEGAL.FID1587432]

Margo,

Sorry, I was tied up Friday afternoon and unable to respond. Kevin and I could talk with you and Jim tomorrow at or after 3:00. Let us know if that works.

David

From: Ludmer, Margo [<mailto:ludmer.margo@epa.gov>]
Sent: Friday, March 18, 2016 12:38 PM
To: David W. Nunn
Cc: 'Kevin C. Murphy' (KMurphy@WladisLawFirm.com)'; Doyle, James
Subject: RE: Lower Ley Creek RD AOC [ES-LEGAL.FID1587432]

David,

Thank you for your email. Jim and I have reviewed the PRPs' proposed revisions. Might you and Kevin be available to discuss the AOC in advance of Thursday's PRP group call? Jim and I are available this afternoon around 3p.

Margo

From: David W. Nunn [<mailto:dwnunn@eastmansmith.com>]
Sent: Friday, March 18, 2016 9:51 AM
To: Ludmer, Margo <ludmer.margo@epa.gov>
Cc: 'Kevin C. Murphy' (KMurphy@WladisLawFirm.com)' <KMurphy@WladisLawFirm.com>
Subject: RE: Lower Ley Creek RD AOC [ES-LEGAL.FID1587432]

Margo,

Attached is an AOC with PRP revisions redlined against a clean copy of EPA's last AOC. This redlined AOC reflects the collective comments of all 7 PRP attorneys/representatives. This AOC has not yet been approved by final decision-makers for the 7 PRPs, but, if acceptable to EPA, counsel would recommend the AOC to their clients and would seek final approval as quickly as possible.

The PRPs have also asked Arcadis to prepare changes to the SOW to reflect the timing of work concerns which we discussed on our last call with you and Jim. Arcadis will be asked to provide its proposed changes directly to Pam Tames for review.

If EPA would like to talk further about the AOC, representatives of the 7 PRPs invite you to join the next scheduled PRP group call on Thursday, March 24, at 4:00 eastern. We will provide you with dial-in instructions if you and Jim would like to join the call.

David

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From: Ludmer, Margo [<mailto:ludmer.margo@epa.gov>]
Sent: Wednesday, March 16, 2016 10:05 AM
To: David W. Nunn
Cc: 'Kevin C. Murphy (KMurphy@WladisLawFirm.com)'
Subject: RE: Lower Ley Creek RD AOC [ES-LEGAL.FID1587432]

Hi David,

Are there any updates on the status of the PRP response?

Thank you,
Margo

From: David W. Nunn [<mailto:dwnunn@eastmansmith.com>]
Sent: Friday, March 11, 2016 2:11 PM
To: Ludmer, Margo <ludmer.margo@epa.gov>
Cc: 'Kevin C. Murphy (KMurphy@WladisLawFirm.com)' <KMurphy@WladisLawFirm.com>
Subject: RE: Lower Ley Creek RD AOC [ES-LEGAL.FID1587432]

Margo,

The LLC PRPs conferenced yesterday to discuss EPA's last AOC and reach consensus on outstanding issues. As a result of that call, there is still some circulation of comments occurring which is going to delay responding to EPA today. Kevin and I will keep you posted as to when a response will be forthcoming next week. Thank you.

David

From: Ludmer, Margo [<mailto:ludmer.margo@epa.gov>]
Sent: Wednesday, March 02, 2016 10:54 AM
To: David W. Nunn; 'Kevin C. Murphy (KMurphy@WladisLawFirm.com)'
Cc: Doyle, James
Subject: Lower Ley Creek RD AOC

David and Kevin,

Please find attached an updated version of the Lower Ley Creek RD AOC. EPA generated a clean copy of the AOC by accepting all changes to the September 2015 version of the order and inserting the December 2015 language on special account reimbursement, Respondents' covenant not to sue, and contribution protection. EPA then made edits to this document in track changes. These track changes indicate which of the PRP edits were incorporated.

Will you both be available this Friday afternoon for a conference call on the AOC?

Many thanks,
Margo

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